

Message Text

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FOR IPS/PE (AGNONE) FROM USDEL CSCE (HUFF)
STATE FOR EUR/RPM ONLY - KORNBLUM

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SUBJ: AMBASSADOR GOLDBERG ARTICLE

THERE FOLLOWS AN ARTICLE BY AMBASSADOR GOLDBERG, AS REQUESTED
BY USIA, KEYED TO OBSERVANCE OF UN HUMAN RIGHTS DAY ON
DECEMBER 10:

1. TITLE: "HUMAN RIGHTS - AN ISSUE FOR OUR TIME".
2. OUR TIME IS A TIME OF MATURING SENSITIVITY TO HUMAN RIGHTS AND, IN MY VIEW, IT IS MOST FITTING AND, INDEED MORE APPROPRIATE NOW THAN EVER THAT WE OBSERVE UN HUMAN RIGHTS DAY. HUMAN RIGHTS HAS BECOME A PRE-EMINENT GLOBAL ISSUE IN OUR TIME, ENCOMPASSING ECONOMIC, SOCIAL, AND POLITICAL ISSUES WHICH TRANSCEND NATIONAL AND ETHNIC BOUNDARIES. HUMAN RIGHTS IS A PRINCIPLE THEME OF PRESIDENT CARTER'S FOREIGN POLICY, AND HAS BEEN A GUIDING FORCE BEHIND MY OWN PARTICIPATION, AND THAT OF THE UNITED STATES DELEGATION, IN THE FOLLOW-UP MEETING TO THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE (CSCE) NOW TAKING PLACE IN BELGRADE, YUGOSLAVIA.

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3. INDEED, THE CURRENT CONCERN WITH HUMAN RIGHTS CAN BE VIEWED AS PART OF AN ONGOING REVOLUTION, A CENTRAL CONCEPT OF WHICH IS THAT HUMAN RIGHTS TRANSCEND THE LAWS AND DOMESTIC JURISDICTION OF STATES AND ARE RIGHTFULLY THE CONCERN OF ALL MEN. THIS IS A DECISIVE DEVELOPMENT IN INTERNATIONAL LAW AND A POSITIVE STEP FOR MANKIND THAT HAS EVOLVED ALONGSIDE THE CHAOS AND HORROR OF OUR CENTURY.

4. OF COURSE, THE UNITED STATES HAS BEEN CONCERNED WITH HUMAN RIGHTS FOR MOST OF ITS HISTORY, AND OUR HEIGHTENED CONCERNS TODAY ARE CONSISTENT WITH EARLIER TRADITIONS. HUMAN RIGHTS ARE PART OF THE FABRIC OF THE BILL OF RIGHTS. SUCH CONCERNS MOTIVATED PRESIDENT LINCOLN, WHO LED THE UNION IN THE BLOODIEST WAR IN OUR NATIONAL HISTORY, THE CIVIL WAR, IN AN EFFORT TO RID OUR NATION OF THE TERRIBLE SCOURGE OF SLAVERY. HUMAN RIGHTS CONCERNS ALSO ANIMATED THE FOUR FREEDOMS PROCLAIMED BY PRESIDENT FRANKLIN ROOSEVELT -- FREEDOM FROM WANT AND FEAR, FREEDOM OF SPEECH AND RELIGION -- FOR WHICH MANY AMERICANS LOST THEIR LIVES IN THE SECOND WORLD WAR. HUMAN RIGHTS ARE NOT A PARTISAN MATTER IN OUR COUNTRY, BUT THE CONCERN OF REPUBLICANS AND DEMOCRATS ALIKE. AT HELSINKI, IN REFERRING TO HUMAN RIGHTS, PRESIDENT FORD NOTED THAT, "THE FOUNDERS OF MY COUNTRY DID NOT MERELY SAY THAT ALL AMERICANS SHOULD HAVE THESE RIGHTS, BUT ALL MEN EVERYWHERE SHOULD HAVE THESE RIGHTS." AND, ON MANY OCCASIONS THIS YEAR, PRESIDENT CARTER HAS REAFFIRMED OUR COMMITMENT TO THE CONTINUITY OF AMERICAN POLICY IN THE AREA OF HUMAN RIGHTS. AT THE UNITED NATIONS IN MARCH, PRESIDENT CARTER STRESSED THAT, "THE SEARCH FOR PEACE ALSO MEANS THE SEARCH FOR JUSTICE ... (AND) THE SEARCH FOR PEACE AND JUSTICE MEANS ALSO RESPECT FOR HUMAN DIGNITY."

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5. NOT ONLY IN OUR COUNTRY, THROUGH PROGRESSIVE SOCIAL AND CIVIL RIGHTS LEGISLATION, BUT ALSO IN THE INTERNATIONAL ARENA, THE US HAS SUPPORTED MANY INITIATIVES DESIGNED TO MAKE OBSERVANCE OF HUMAN RIGHTS MORE UNIVERSAL. US LAW, TRADITION AND LEADERSHIP WERE INSTRUMENTAL IN THE CREATION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS, A MILESTONE IN THE PROGRESSIVE EVOLUTION FOR MANKIND REFERRED TO ABOVE. THE UNIVERSAL DECLARATION WAS APPROVED BY THE UN GENERAL ASSEMBLY ON DECEMBER 10, 1948 AND IT IS THIS LANDMARK EVENT AND THE EVOLUTION FOR MANKIND WHICH IT IN PART SYMBOLIZES WHICH WE ARE

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MARKING THROUGH OUR OBSERVATION OF HUMAN RIGHTS DAY
THIS YEAR.

6. AN IMPORTANT RECENT DEVELOPMENT IN OUR SUPPORT OF
HUMAN RIGHTS AS A MATTER OF INTERNATIONAL LAW IS OUR
FIRM COMMITMENT -- AS NOTED BY PRESIDENT CARTER IN HIS
REMARKS AT THE UNITED NATIONS ON OCTOBER 5 -- TO
RATIFICATION OF THE INTERNATIONAL COVENANT ON CIVIL
AND POLITICAL RIGHTS AND THE COVENANT ON ECONOMIC,
SOCIAL AND CULTURAL RIGHTS. AMERICAN ADHERENCE TO
THESE COVENANTS HAS BEEN A MATTER OF PERSONAL CONCERN
TO ME AND TO MANY OTHERS FOR A DECADE, AND I WAS
PARTICULARLY GRATIFIED TO LEARN OF PRESIDENT CARTER'S
DESIRE TO PRESS FOR RATIFICATION.

7. HOWEVER, OUR CONCERN FOR HUMAN RIGHTS ABROAD DOES
NOT BLIND US TO CONTINUING PROBLEMS IN OUR OWN COUNTRY.
AS I STATED IN MY OPENING ADDRESS TO THE BELGRADE
CONFERENCE, THE US RECOGNIZES THAT ITS HUMAN RIGHTS
RECORD IS NOT PERFECT AND IS WILLING TO LISTEN
THOUGHTFULLY TO CRITICISM OF ITS OWN RECORD AS
BELGRADE AND ELSEWHERE.
WHERE UNJUSTIFIED WE HAVE REBUTTED THESE CRITICISMS
AND WHERE JUSTIFIED WE HAVE ADMITTED THEM AND STATED
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WE WOULD PUSH FOR FURTHER IMPROVEMENT. IN OUR OWN
COUNTRY WE ARE STILL WORKING TO ENSURE THAT FUNDAMENTAL
RIGHTS AND EQUAL OPPORTUNITIES ARE GUARANTEED TO ALL,
REGARDLESS OF RACE, SEX OR ETHNIC ORIGIN. CERTAIN
CIVIL RIGHTS ABUSES REMAIN TO BE CURBED AND MUCH
REMAINS TO BE DONE IN ENSURING THAT THE POOR AND
IMPROVERISHED ARE BROUGHT INTO THE MAINSTREAM OF
AMERICAN LIFE AND OFFERED THE POSSIBILITY OF BETTERING

THEIR LIVES THROUGH ADEQUATE JOB AND EDUCATIONAL OPPORTUNITIES, AND BETTER LOCAL, STATE AND FEDERAL SERVICES. NONETHELESS, PERHAPS THE KEY CONCEPTUAL DIFFERENCE BETWEEN THE US AND CERTAIN OTHER NATIONS IS THAT OUR GOVERNMENT IS SEEKING TO BETTER OUR HUMAN RIGHTS RECORD WHEREAS OTHER GOVERNMENTS OFTEN ABET ABUSES AND DO LITTLE OR NOTHING TO CORRECT THEM.

8. THERE ARE, IN FACT, THREE BROAD CATEGORIES OF INTER-DEPENDENT HUMAN RIGHTS. THE FIRST CATEGORY RELATES TO THE INTEGRITY OF THE PERSON - THE DIGNITY OF THE HUMAN BEING. TORTURE, BODILY MUTILATION, ELECTRIC SHOCK TREATMENT, SUMMARY EXECUTION AND OTHER CRUEL AND UNUSUAL PUNISHMENTS WOULD FALL WITHIN THIS CATEGORY AND SHOULD BE PROHIBITED. THE SECOND CATEGORY, TOUCHING UPON ECONOMIC AND SOCIAL RIGHTS, CONCERNS THE FULFILLMENT OF VITAL HUMAN NEEDS SUCH AS WORK, FOOD, SHELTER, HEALTH CARE AND EDUCATION. THE THIRD CATEGORY RELATES TO CIVIL AND POLITICAL LIBERTIES, AND ENCOMPASSES FREEDOM OF SPEECH, THOUGHT, ASSOCIATION, RELIGION, THE PRESS, FREEDOM TO MOVE WITHIN A COUNTRY AND TO PASS FREELY BEYOND ITS BORDERS OR TO EMIGRATE, AND FREEDOM TO PARTICIPATE IN CIVIC AND GOVERNMENTAL AFFAIRS.

9. WE CANNOT AGREE WITH THOSE WHO WOULD PLACE UNDUE
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EMPHASIS ON ECONOMIC AND SOCIAL RIGHTS, IMPORTANT AS THEY ARE, AT THE EXPENSE OF POLITICAL AND CIVIL LIBERTIES. TOO OFTEN, AS WALTER LAQUEUR WROTE RECENTLY, GIVING PRIORITY TO ECONOMIC AND SOCIAL RIGHTS IS AN "ALIBI FOR STATES THAT PRACTICE OPPRESSION AT HOME, AND WHOSE RECORD EVEN IN THE ECONOMIC AND SOCIAL FIELD IS ANYTHING BUT BRILLIANT." AND, AS DR. LAQUEUR NOTES, AMONG THE MOST VOCIFEROUS PROPONENTS OF ECONOMIC AND SOCIAL RIGHTS THERE ARE FEW IF ANY STATES WHICH PERMIT THE EXISTENCE OF FREE TRADE UNIONS. IN OUR VIEW, THERE IS AND MUST BE BALANCE AMONG OUR HUMAN RIGHTS CONCERNS, BETWEEN PROTECTION OF FUNDAMENTAL OR INDIVIDUAL RIGHTS AND ECONOMIC AND SOCIAL RIGHTS.

10. WE RECOGNIZE THAT WE CANNOT REMAKE THE WORLD IN OUR OWN IMAGE, BUT WE CAN HELP MAKE THE WORLD A MORE HUMANE PLACE FOR ALL OF US. IN WORKING TOWARD THIS GOAL,

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WE MUST PROPERLY TAKE INTO CONSIDERATION HUMAN RIGHTS ABUSES IN OTHER COUNTRIES IN FORMULATION OF OUR OWN POLICIES AND ALSO MUST SEEK TO ENCOURAGE OTHERS TO IMPROVE THEIR HUMAN RIGHTS RECORDS. THIS PRINCIPLE HAS GUIDED US AT THE BELGRADE CONFERENCE.

11. AT BELGRADE, WHERE HUMAN RIGHTS ABUSES IN THE SOVIET UNION AND SOME OTHER COUNTRIES OF EASTERN EUROPE HAVE BEEN A FOCUS OF OUR CONCERN, WE HAVE CHOSEN TO EXPRESS OUR CONCERNS IN A VARIETY OF WAYS. WE HAVE SPOKEN IN OPEN PLENARY SESSION AND IN CLOSED WORKING GROUPS CITING SPECIFIC COUNTRIES AND CASES WHERE APPROPRIATE, AND WE HAVE HAD PRIVATE BILATERAL CONTACTS WITH THE EAST. WE HAVE SOUGHT TO ENCOURAGE THE EAST TO IMPLEMENT MORE FULLY THE PROVISIONS OF THE FINAL ACT BY ENGAGING ALL SIGNATORIES TO THE ACT IN A FRANK ACCOUNTING OF PROGRESS REGISTERED SINCE ITS SIGNATURE IN AUGUST 1975. IN PURSUING OUR HUMAN RIGHTS OBJECTIVES WE ARE AIDED BY THE FINAL ACT ITSELF, WHICH CONTAINS SPECIFIC PROVISIONS RELATING TO HUMANITARIAN CONTACTS AND TO HUMAN RIGHTS AS I HAVE ALREADY DEFINED THEM.

12. HUMAN RIGHTS HAS BECOME A PRE-EMINENT GLOBAL ISSUE FOR OUR TIME, NOT BY CHANCE BUT BY COMBINATION OF
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CIRCUMSTANCE. THE WORLD HAS GROWN SMALLER FOR ALL OF US, AND WE HAVE BECOME MORE INTER-DEPENDENT. TODAY, TRULY, NO MAN IS AN ISLAND. TO A GREATER EXTENT THAN EVER

BEFORE, WE CANNOT ESCAPE AWARENESS OF THE PLIGHT OF
OTHERS, WHEREVER THEY MAY BE, IN OUR COUNTRY OR ELSEWHERE.
NOR CAN GOVERNMENTS WHOSE PRACTICES IN HUMAN
RIGHTS ARE WOEFULLY DEFICIENT PRETEND THAT OTHERS HAVE
NO LEGITIMATE RIGHT TO EXAMINE THEIR RECORDS. THIS IS
BELIED BY THE UNIVERSAL DECLARATION OF HUMAN
RIGHTS, THE INTERNATIONAL COVENANTS ON HUMAN RIGHTS, AND BY
THE HELSINKI FINAL ACT.

13. IN CONCLUSION, THE 35 NATIONS AT BELGRADE HAVE PLEDGED
THEMSELVES BY THE FINAL ACT TO SEEK COOPERATION AND
SECURITY IN EUROPE. THIS IS AN UNDERTAKING OF HISTORIC
SIGNIFICANCE WHICH, IN POPULAR TERMS, IS ALSO A PLEDGE TO
FURTHER DETENTE BY COMMON EFFORT. IT IS OUR FIRM
CONVICTION THAT THIS EFFORT WOULD BE IN VAIN WERE NOT
DETENTE GIVEN HUMANITARIAN MEASURE AND A HUMAN FACE. THIS
HAS BEEN THE INSPIRATION OF OUR EFFORT AT BELGRADE AND WILL
CONTINUE TO BE SO IN THE FUTURE.
GOLDBERG

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